REMARKS

In the Office Action dated August 25, 2006, claims 1, 3-8, and 10-20 were presented for examination. Claims 14, 16, and 17 were rejection under 35 U.S.C. §101. Claim 8 and 10-17 were rejected under 35 U.S.C. §112, second paragraph. Claims 1, 3-8 and 10-20 were rejected under 35 U.S.C. §102(e) as being anticipated by *Blumenau et al.*, U.S. Patent No. 6,845,395.

The following remarks are provided in support of the pending claims and responsive to the Office Action of August 25, 2006 for the pending application.

I. Rejection Under 35 U.S.C. §101

In the Office Action dated August 25, 2006, the Examiner assigned to the application rejected claims 14, 16, and 17 under 35 U.S.C. §101. Applicants have incorporated the limitations of claim 15 into claim 14 as recommended by the Examiner. Accordingly, Applicants hereby request removal of the rejection under 35 U.S.C. §101.

II. Rejection Under 35 U.S.C. §112, second paragraph

In the Office Action dated August 25, 2006, the Examiner assigned to the application rejected claims 8 and 10-17 under 35 U.S.C. 112, second paragraph.

More specifically, with respect to claim 8, the Examiner raised a concern with the language "provides access to said storage media at least in part to said hard attribute." Applicants have amended this language in this claim to "provides access to said storage media responsive at least in part to receipt of said hard attribute", as suggested by the Examiner. With respect to claim 14, the Examiner raised a concern with the language "establishing access rights of at least two nodes to said storage media at least in part in response to said hard attribute." Applicants have amended this language in claim 14 to "establishing access rights of at least two nodes to said storage media at least in part in response to receipt of said hard attribute," as suggested by the Examiner. With respect to claim 14, the Examiner raised an issue with the language "managing an access request to said storage media in response to said access rights."

Applicants have amended this language in claim 14 to "managing an access request to said storage media according to said access rights," as suggested by the Examiner. Accordingly, in view of the amendments to claims 8 and 14, Applicants respectfully request that the Examiner remove the rejection under 35 U.S.C. §112, second paragraph.

III. Rejection Under 35 U.S.C. §102(e)

In the Office Action of August 25, 2006, the Examiner assigned to the application rejected claims 1, 3-8, and 10-20 under 35 U.S.C. §102(e) as being anticipated by *Blumenau et al.* ('395).

U.S. Patent No. 6,845,395 pertains to a method and apparatus for identifying a network apparatus on a storage network. This includes identifying storage volumes on a storage system through a configuration database. The database includes a history table that lists hosts that have queried the port as they entered the network. See Col. 9, lines 25-30. The database also includes "a header portion for mapping the HBAs to the available ports at the storage system", see Col. 9, lines 39-41, a volume allocation portion, a mapping portion, and a filter table. The fields of the database are used to determine accessibility of a host bus adapter (HBA) to one or more volume sets of a storage device.

Applicants have amended claims 1, 8, and 14 to further define how access rights to storage media are determined. More specifically, Applicants' invention does not utilize a database of a storage system, as disclosed in the *Blumenau et al.* patent. Rather, Applicants read the storage media label to which one or more nodes require access. A hardware identifier is obtained from this label and compared. Access rights to the storage media are based in part upon this comparison. However, *Blumenau et al.* does not teach reading a storage media label and using data from this label as a comparison term. Rather, *Blumenau et al.* shows a database in a storage system, wherein the database has a history field, a header field, a volume allocation field, a mappings field, and a filter table field. None of the fields of the database of *Blumenau et al.* expressly or inherently include accessing, reading, or otherwise utilizing a storage media label. In fact, there is only a single reference to the term "label" in the *Blumenau et al.* patent, and this

refers to a label of an icon on a graphical user interface. Therefore, *Blumenau et al.* does not expressly or inherently teach all of the elements as claimed by Applicants as required by 35 U.S.C. §102(e). Accordingly, Applicants hereby request that the rejection of claims under 35 U.S.C. §102(e) be removed.

With respect to claims 4, 11, and 19, each of these claims pertain to indication that the type field in the storage media label indicate node-ownership of the storage media, *i.e.* shared storage media. As noted above with respect to the independent claims, *Blumenau et al.* does not use a storage media label as a basis for comparison to determine access rights to storage media. *Blumenau et al.* uses other data as a comparison basis, such as history, header, volume allocation, mappings, and filter table. However, as explained above and further discussed in detail in Col. 9, lines 38-62 of *Blumenau et al.*, *Blumenau et al.* does not utilize create a storage media label with a node identifier stored thereon as a basis for the access right determination. Accordingly, Applicants hereby request that the rejection of claims 4, 11, and 19 under 35 U.S.C. §102(e) be removed.

With respect to claims 5, 12, 17, and 20, each of these claims pertain to the storage media label and include a cluster identifier stored thereon to indicate cluster-ownership of the storage media, *i.e.* shared storage media. After searching *Blumenau et al.* in detail, there is not a single mention or use of the term cluster. In fact, *Blumenau et al.* discloses one or more host processors in communication with a storage system. The host processor includes two host bus adapters, but there is no clustering of nodes expressly or inherently suggested therein. Accordingly, Applicants hereby request that the rejection of claims 4, 12, and 19 under 35 U.S.C. §102(e) be removed.

IV. Conclusion

There is no teaching in *Blumenau al.* for utilizing data from a storage media label in the form claimed by Applicants to control access to shared storage media. In order for the claimed invention to be anticipated under 35 U.S.C. §102(e), the prior art must teach all claimed

limitations presented by the claimed invention. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP §2131 (citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F. 2d 628, 631, 2 U.S.P.Q. 2d 1051, 1053 (Fed. Cir. 1987)). *Blumenau et al.* does not anticipate the invention of Applicants based upon the legal definition of anticipation since none of the references individually expressly or inherently teach each and every element as claimed by Applicants. Accordingly, Applicants respectfully request that the Examiner remove the rejection of claims 1, 3-8, and 14-20.

Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. Accordingly, Applicants request that the Examiner indicate allowability of claims 1, 3-8, and 10-20, and that the application pass to issue. If the Examiner believes, for any reason, that personal communication will expedite prosecution of the application, the Examiner is hereby invited to telephone the undersigned at the number provided.

For the reasons outlined above, withdrawal of the rejection of record and an allowance of this application are respectfully requested.

Respectfully submitted,

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